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**Australian Government****Australian Sports  
Anti-Doping Authority**5 Tennant Street Fyshwick ACT 2609, PO Box 1744 Fyshwick ACT 2609  
T 13 000 ASADA (13 000 27232) F +61 (0) 2 6222 4201 E asada@asada.gov.au  
www.asada.gov.au ABN 91 592 527 503

15 April 2015

**BY COURIER**Mr David Howman  
World Anti-Doping Agency  
Stock Exchange Tower  
Suite 1700, 800 Place Victoria  
Montreal (Quebec) HAZ 1B7  
CANADA

Dear Mr Howman,

**IN THE MATTER OF ALLEGED VIOLATIONS OF THE AFL ANTI-DOPING CODE BY 34 ESSENDON  
FOOTBALL CLUB PLAYERS [2014] AFL ANTI-DOPING TRIBUNAL**

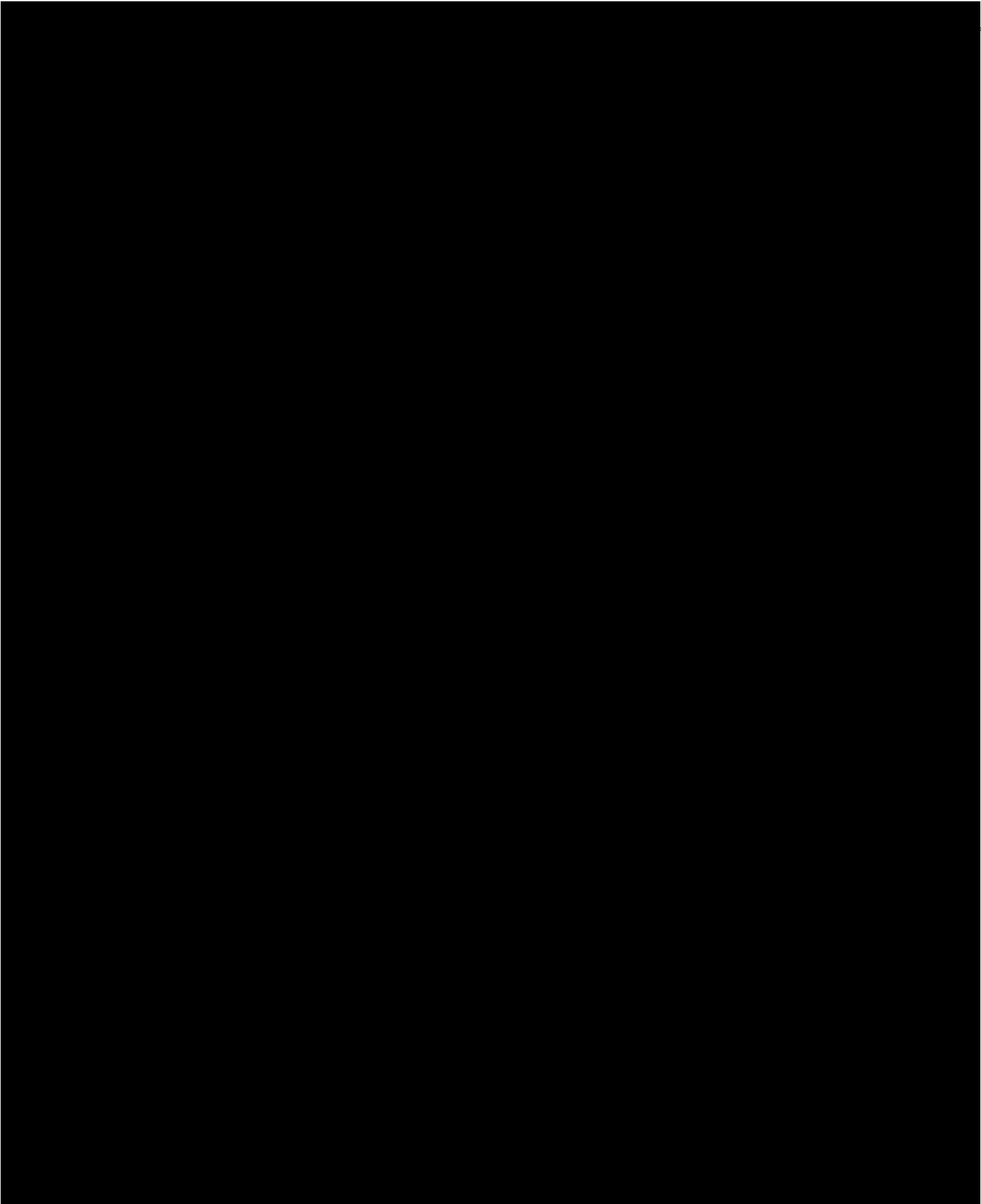
Further to our discussion this morning in relation to the abovementioned proceedings, please find enclosed:

1. A USB containing a copy of the Court Book; and
2. A CD containing copies of the associated transcripts from each day of the proceedings.

The USB and CD are password protected. These passwords will be provided to you separately after you have advised that you have received this correspondence.

Yours sincerely

Elen Perdikiogiannis  
National Manager - Legal and Support Services



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.bcllp2015

[REDACTED]

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**From:** Niggli, Olivier <Olivier.Niggli@wada-ama.org>  
**Sent:** Thursday, 16 April 2015 1:27 AM  
**To:** Elen Perdikogiannis; Howman, David  
**Cc:** Ben McDevitt  
**Subject:** RE: Draft statement

Hi Elen,

[REDACTED]

[REDACTED]

Thanks

Olivier

**From:** Elen Perdikogiannis [mailto:Elen.Perdikogiannis@asada.gov.au]  
**Sent:** Tuesday, April 14, 2015 8:08 AM  
**To:** Howman, David  
**Cc:** Ben McDevitt; Niggli, Olivier  
**Subject:** Draft statement

[REDACTED]

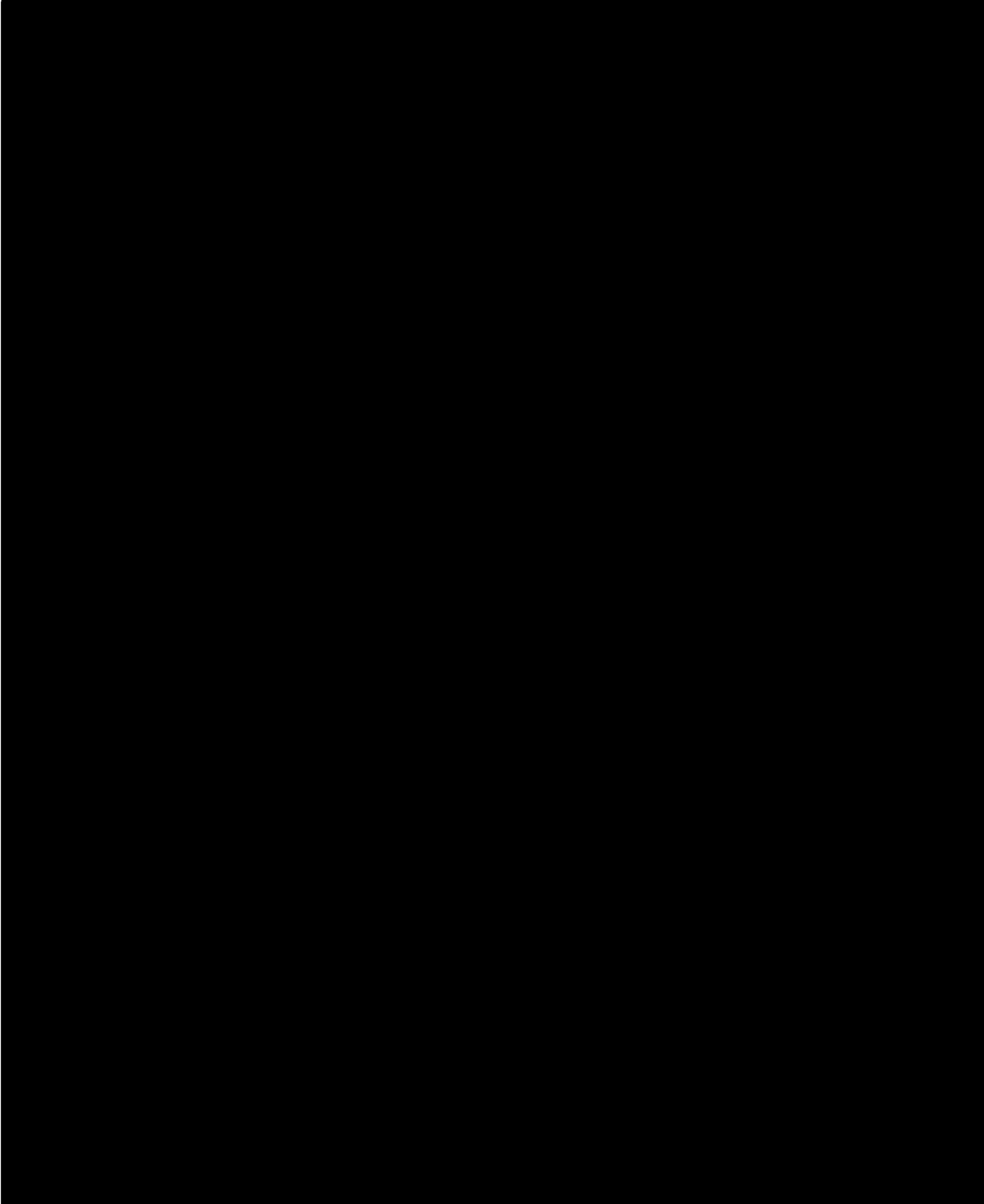
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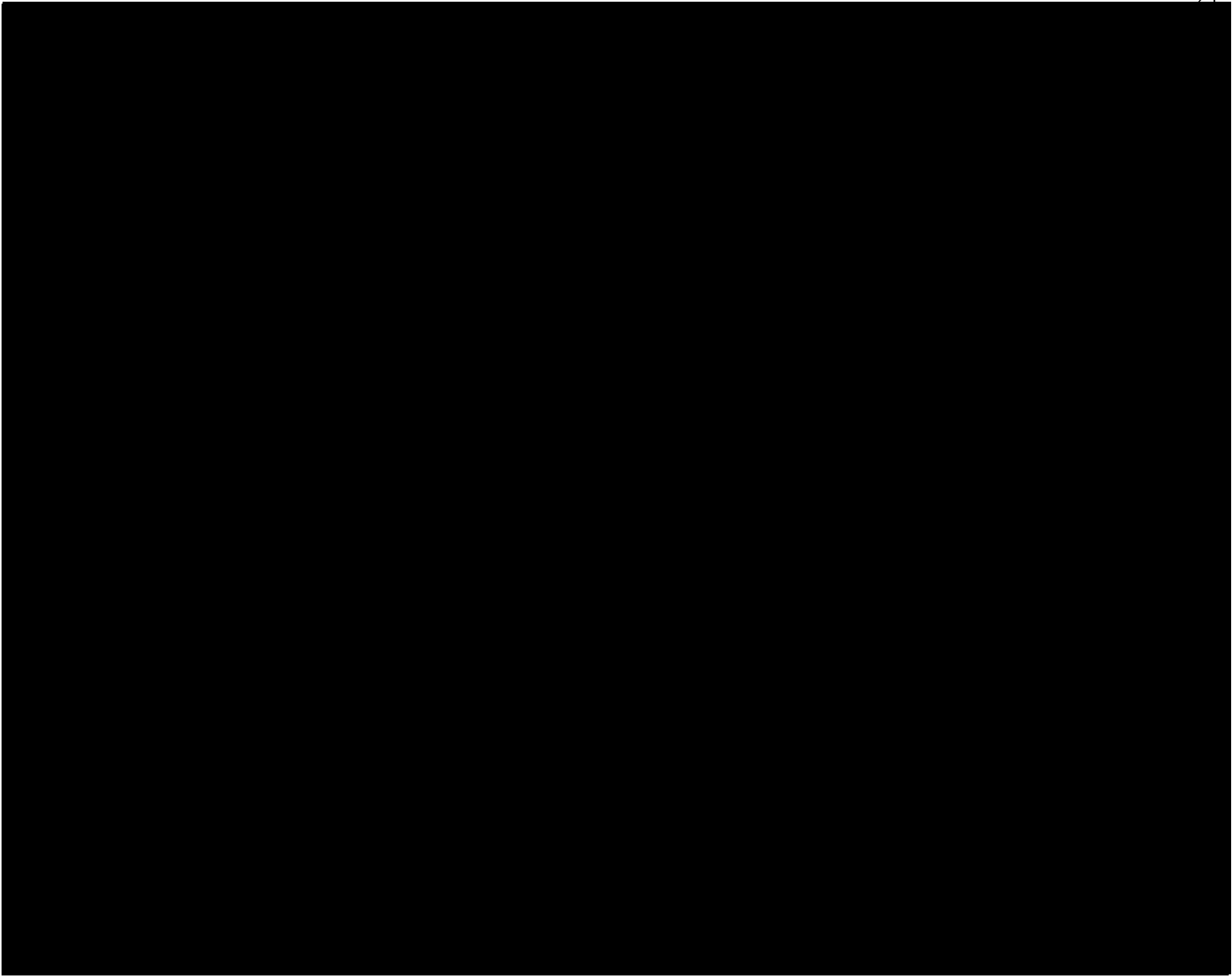
Elen Perdikogiannis  
National Manager Legal and Support Services Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4267  
F +61 (0) 2 6222 4367

E [Elen.Perdikogiannis@asada.gov.au](mailto:Elen.Perdikogiannis@asada.gov.au)<mailto:Elen.Perdikogiannis@asada.gov.au>  
W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

ASADA Hotline 13 000 ASADA (13 000 27232)





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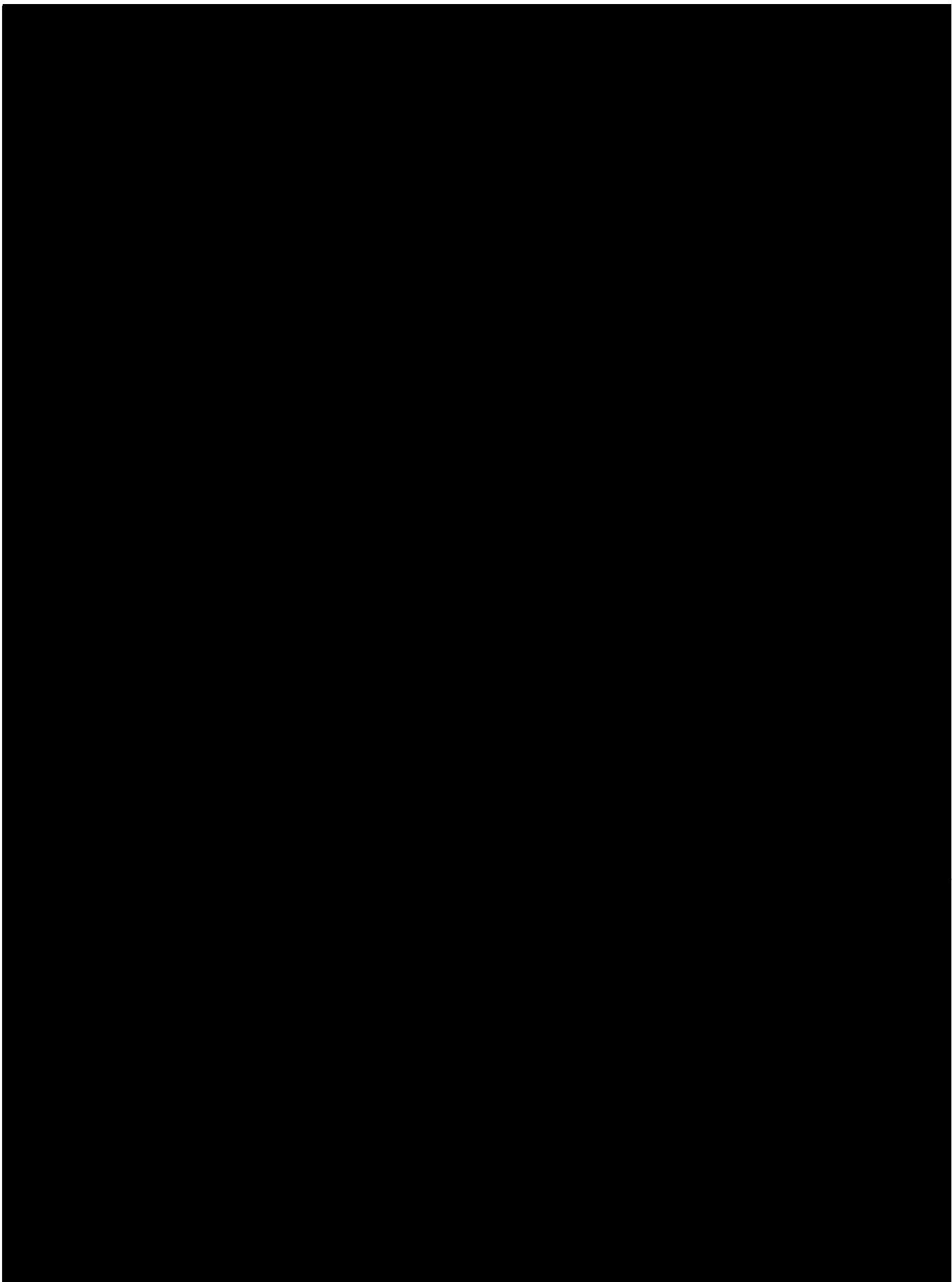
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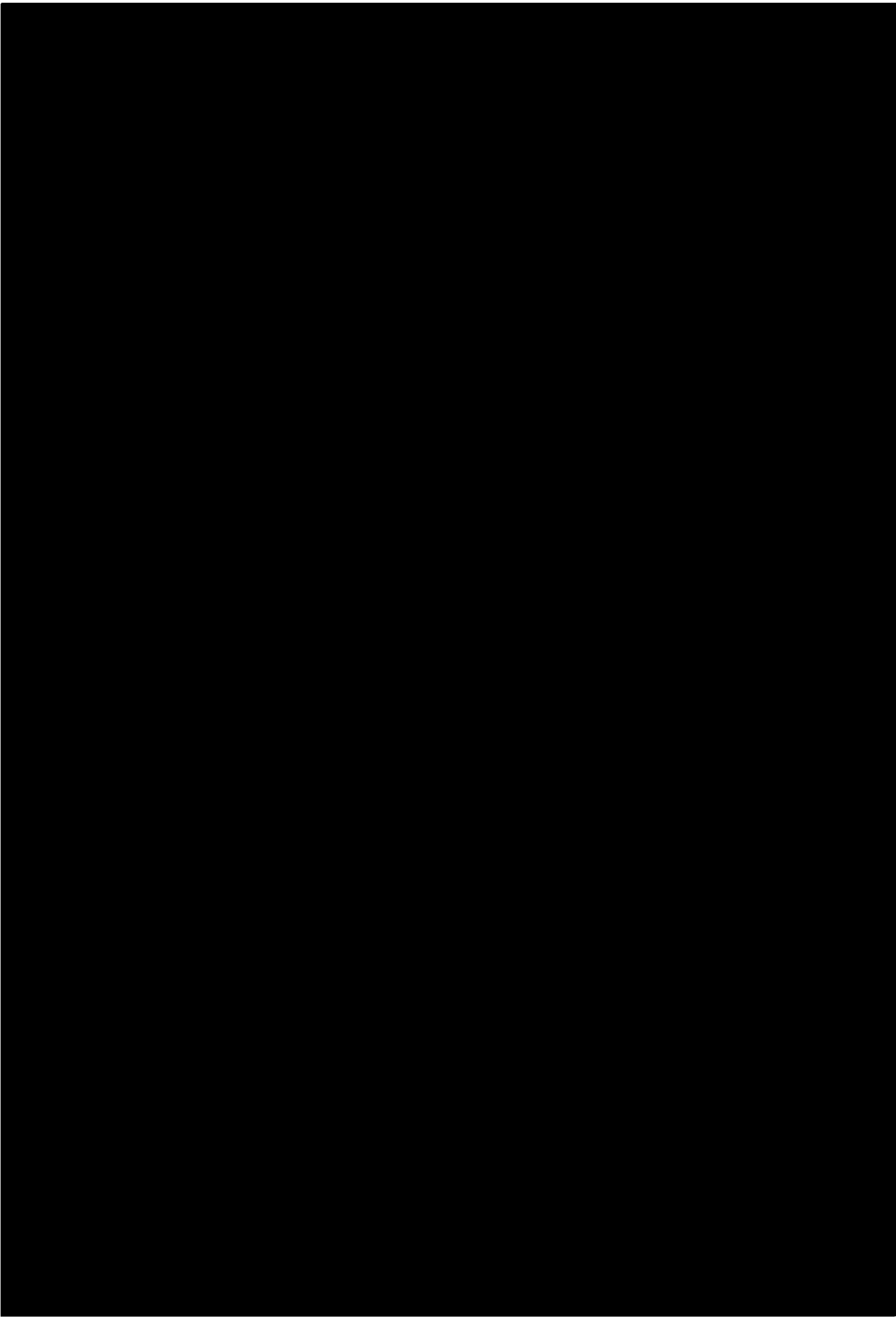
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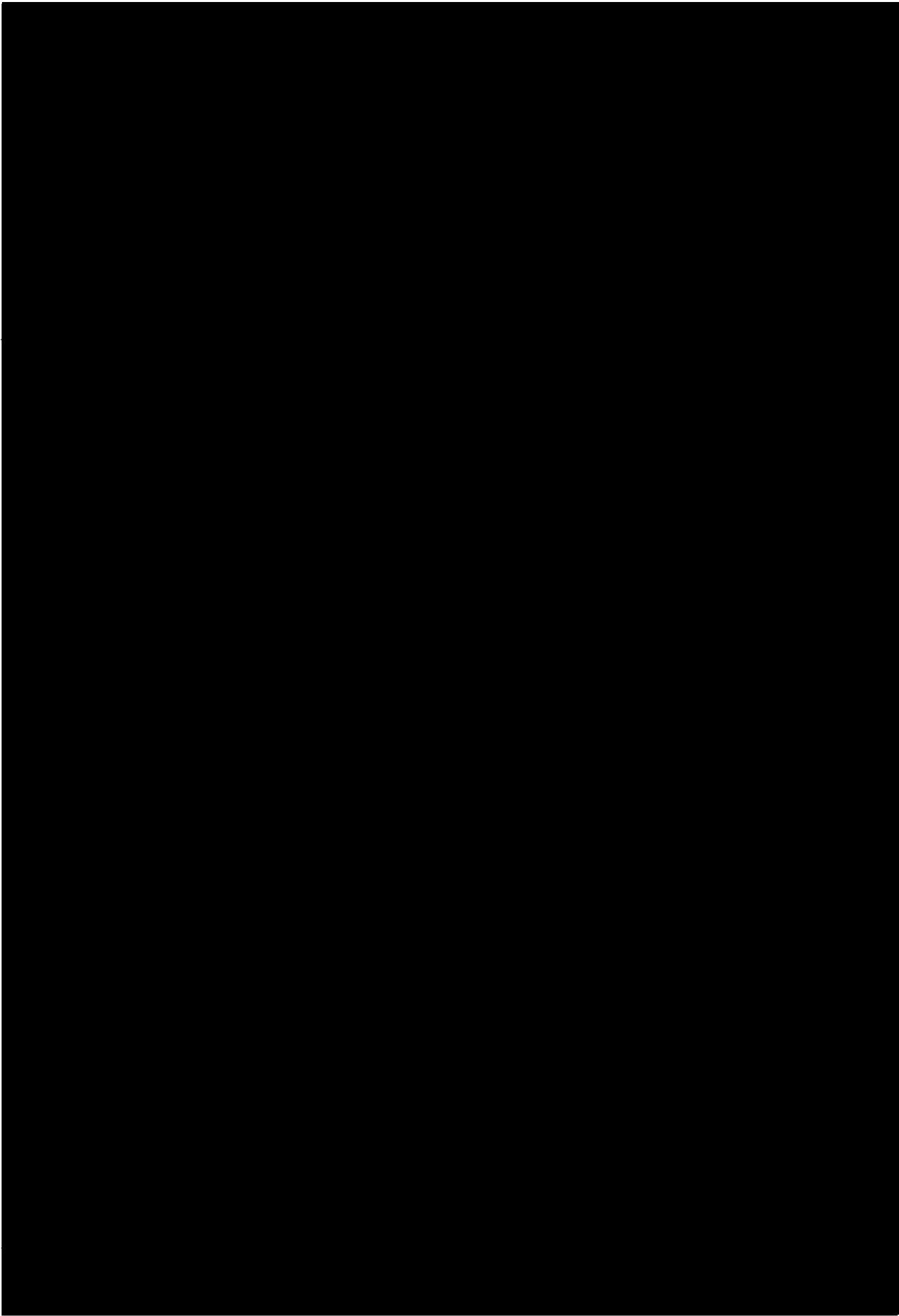
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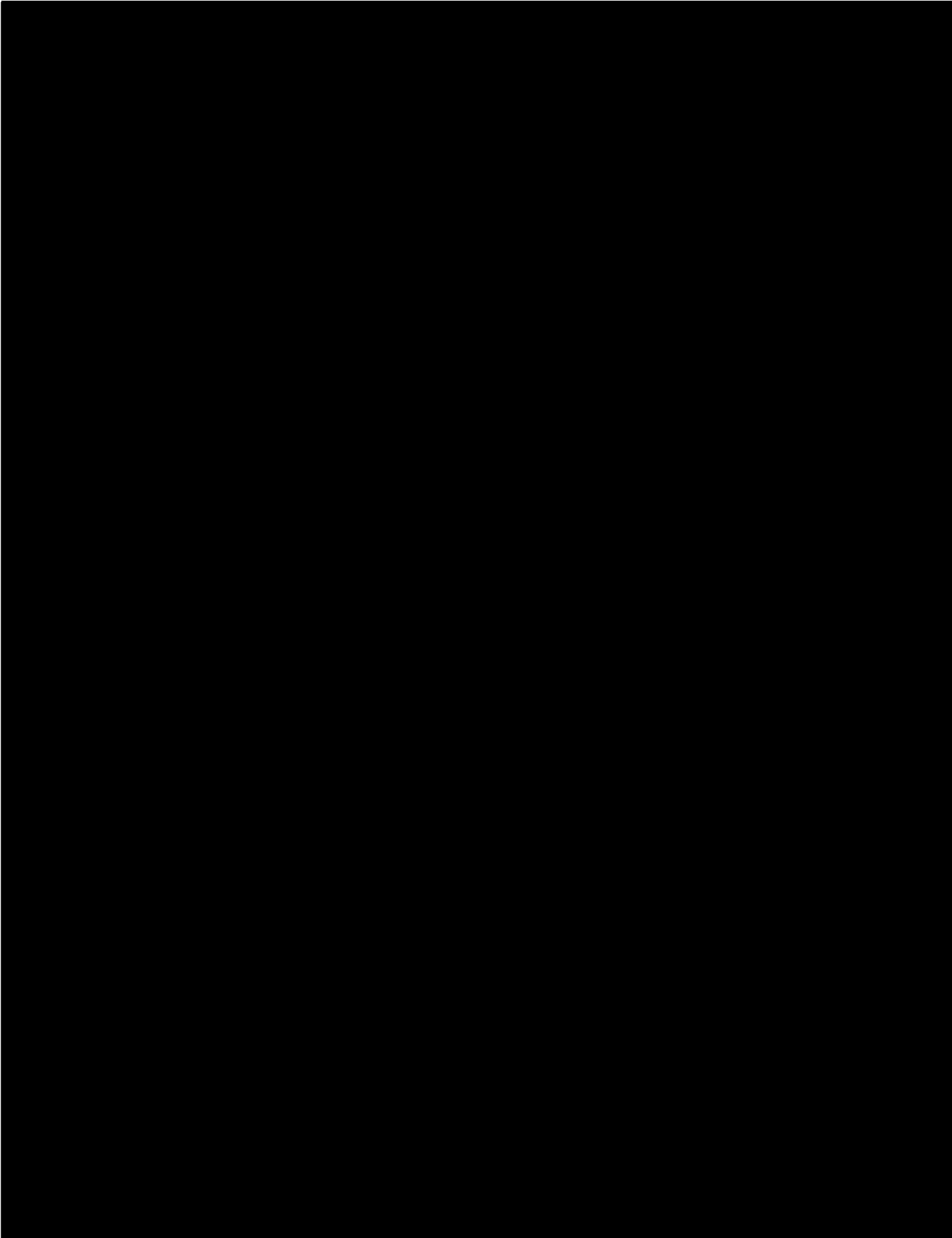
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**From:** Howman, David <David.Howman@wada-ama.org>  
**Sent:** Monday, 20 April 2015 6:13 AM  
**To:** Ben McDevitt  
**Cc:** Tony Baccari  
**Subject:** Re: Sensitive in confidence - Draft statement re appeal decision [SEC=UNCLASSIFIED]

Thanks Ben  
No further comment from us.  
Cheers  
David

On Apr 18, 2015, at 21:42, Ben McDevitt <[Ben.McDevitt@asada.gov.au](mailto:Ben.McDevitt@asada.gov.au)<<mailto:Ben.McDevitt@asada.gov.au>>>>  
wrote:

Hi David,  
Please find attached my latest draft of a media release which I intend to issue tomorrow afternoon. I would welcome your advice as to any comments or concerns you may have prior to me finalizing the release. You will note I have already incorporated your feedback from our earlier versions.  
Best regards  
Ben  
<Draft statement re appeal decision.docx>

**Draft – Sensitive**

**ASADA statement re appeal decision**

ASADA CEO Ben McDevitt has today announced that he will not appeal to the AFL Anti-Doping Appeals Tribunal in respect of the findings in relation to 34 current and former Essendon players and one support person, Mr Stephen Dank.

“As with all other decisions I have made in these matters this decision has largely been informed by comprehensive legal advice.

I am conscious that ASADA does not have a direct right of appeal to the Court of Arbitration for Sport (CAS) and the only appeal avenue open to ASADA at this time is to the AFL Anti-Doping Appeals Tribunal. I am also aware that appealing any of these decisions within the AFL framework would ultimately serve only to delay consideration of these matters by WADA.

I have therefore arranged to provide the entire case file encompassing all 35 matters to WADA for its independent review. This is in accordance with global anti-doping protocols. WADA will then be able to make an independent decision as to whether to exercise its appeal option, which would not be to the AFL Anti-Doping Appeals Tribunal, but rather directly to the CAS. ASADA will support any WADA initiated appeal in relation to these matters.

In the interests of transparency I would welcome the fullest possible release of the Tribunal’s findings and reasons on all of these matters.”

[REDACTED]

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**From:** Nichols, Ben <Ben.Nichols@wada-ama.org>  
**Sent:** Monday, 20 April 2015 11:23 PM  
**To:** Tony Baccari  
**Cc:** ASADA media; MacLean, Catherine  
**Subject:** RE: Australian media [SEC=UNCLASSIFIED]

Morning Tony,

We have had a few press enquiries – [REDACTED] – and have decided to issue the following statement while we review the information.

“WADA Statement on ASADA appeal decision

WADA Director General, David Howman: “WADA has received the full case file, and will independently review the information in accordance with the World Anti-Doping Code rules.”

WADA acknowledges the Australian Anti-Doping Authority’s (ASADA) decision not to appeal to the AFL Anti-Doping Appeals Tribunal in respect of the decisions relating to 34 current and former Essendon players.

WADA has received the full case file, including all evidence related to the decisions, and will independently review the information in accordance with World Anti-Doping Code rules.

WADA will make no further public comment on this matter until it has decided whether or not to exercise its independent right of appeal to the Court of Arbitration for Sport (CAS). WADA has 21 days to exercise this right.”

Best regards,  
Ben

From: Tony Baccari [mailto:Tony.Baccari@asada.gov.au]  
Sent: Monday, April 20, 2015 2:54 AM  
To: Nichols, Ben  
Cc: ASADA media; WADA Media  
Subject: Australian media [SEC=UNCLASSIFIED]

Hi Ben

Following our CEO’s media statement this morning, I can only imagine that you may get several media enquiries from Australian media. If I can be of any assistance please let me know.

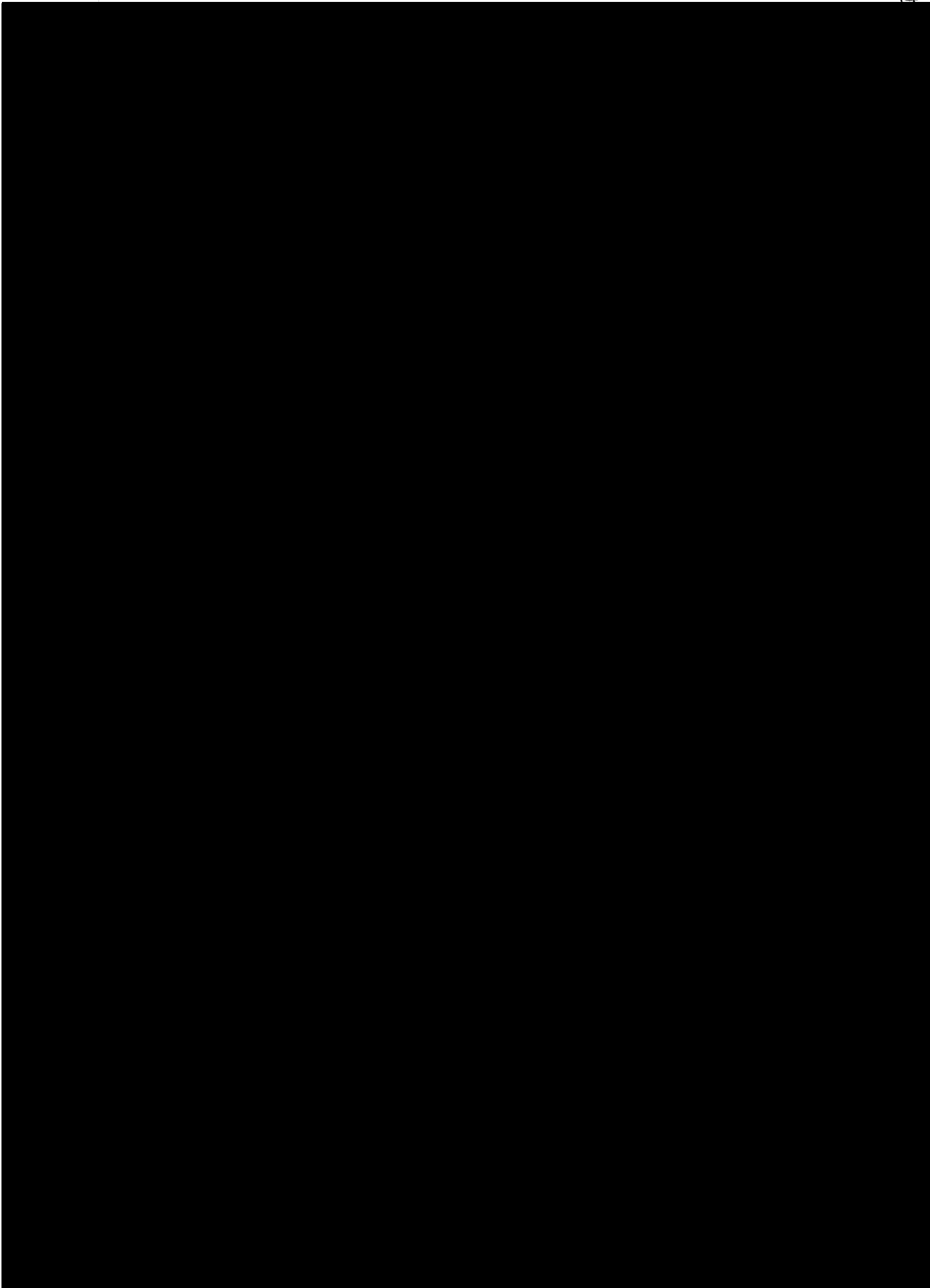
If you can let me know who is coming to you (and with what questions) I’ll be able to cross-reference against the enquiries I’m getting at this end.

So far the majority of media reporting in Australia has been quite factual and not negative in any way.

Regards  
Tony

Tony Baccari  
Communications and Media Manager  
Australian Sports Anti-Doping Authority

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**Subject:** FW: Phone call - ASADA and WADA [SEC=UNCLASSIFIED]

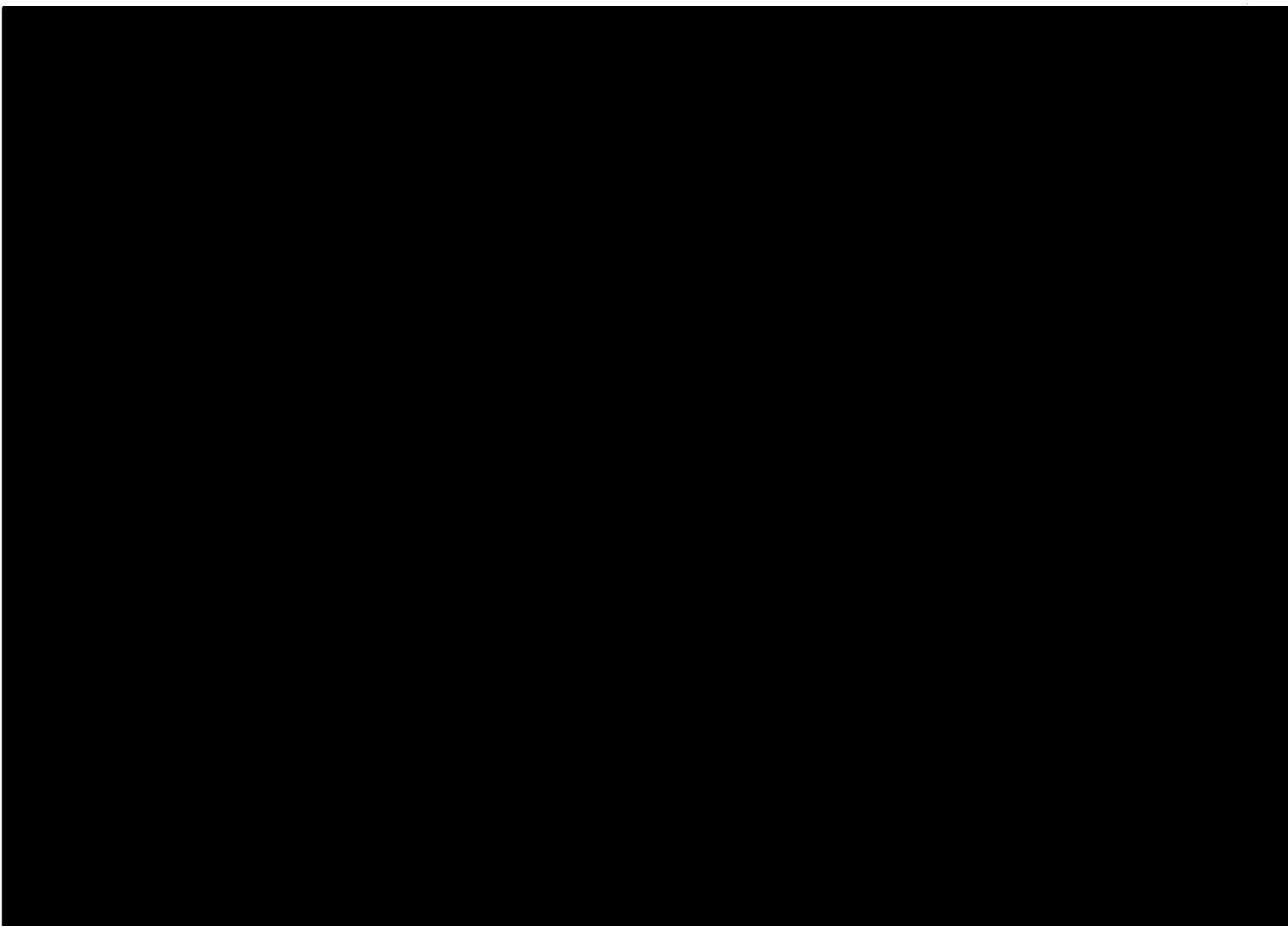
Dear All,

I am not sure if [redacted] received my last email below. I am therefore sending you the instructions for you to join the conference call (Thursday 30 April at 7am – Canberra time):

1. Dia [redacted]  
[redacted] followed by the # sign
3. State your name followed by the # sign
1. You will now be on the conference call

Kind regards,

[redacted]



Subject: RE: Phone call - ASADA and WADA [SEC=UNCLASSIFIED]

Dear [REDACTED]

We will set up a conference call for tomorrow (Wednesday 29 April, 5pm, Montreal time) as Olivier Niggli will be calling from abroad. Here are the instructions for Elen and Darren to join the call:

1. [REDACTED]
2. [REDACTED] followed by the # sign
3. State your name followed by the # sign
4. You will now be on the conference call

Kind regards,

[REDACTED]

Subject: RE: Phone call - ASADA and WADA [SEC=UNCLASSIFIED]

Dear [REDACTED]

The phone call is confirmed for next week, Wednesday 29 April at 5pm, Montreal time. You can use the same number [REDACTED].



Thank you and kind regards,

[REDACTED]

[REDACTED]

Subject: Phone call - ASADA and WADA [SEC=UNCLASSIFIED]

Dear [REDACTED]

Ben has advised me that another phone call between ASADA and WADA is to be scheduled next week. Ben will be in Montreal with David and has asked that the phone call occurs at the following time:

- Wednesday 29 April at 5pm – Montreal time
- Thursday 30 April at 7am – Canberra time

May I please enquire if the phone number below is suitable for me to give to Elen and Darren in Canberra, so that they may call David and Ben and Montreal?

Best regards

[REDACTED]

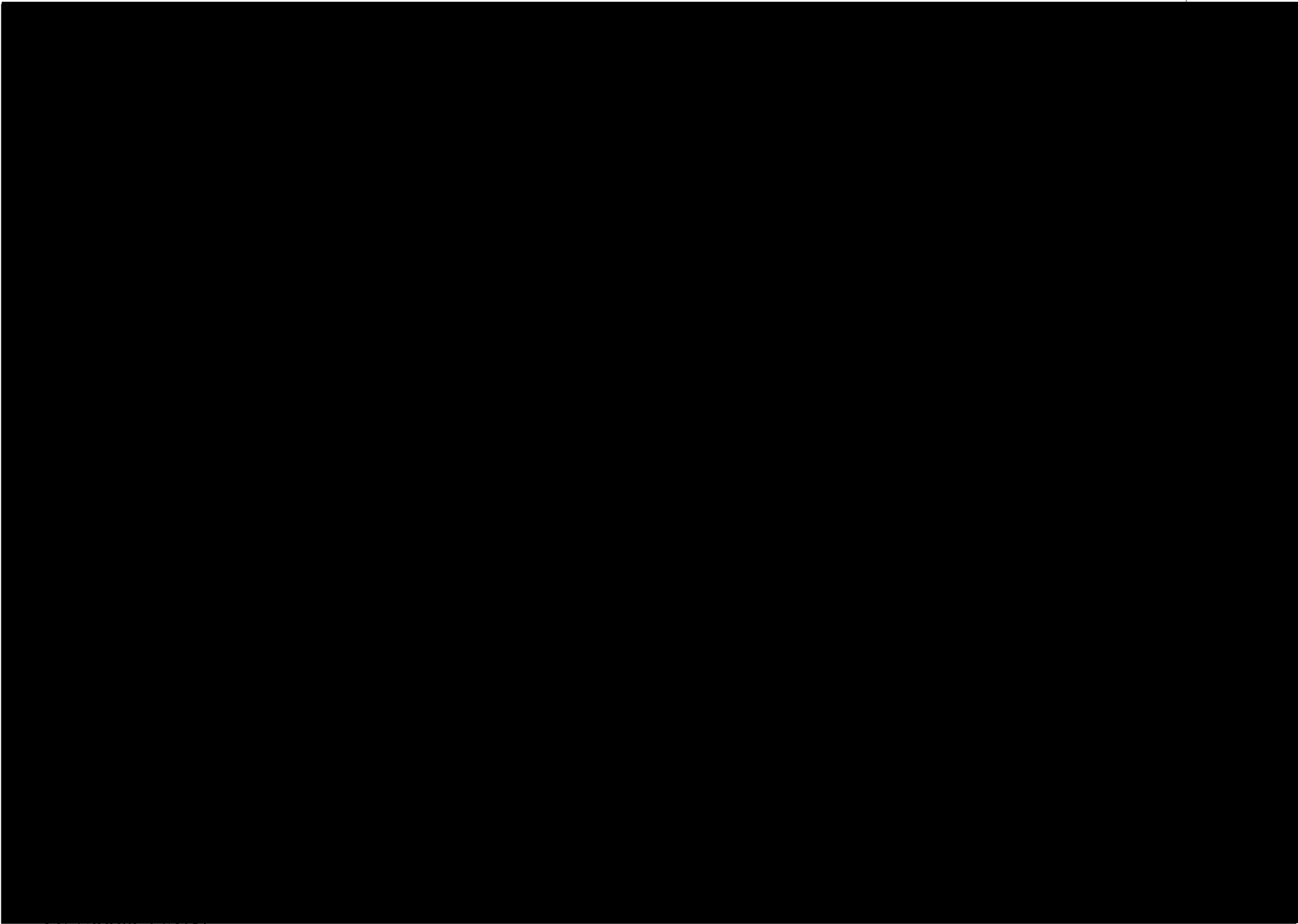
[REDACTED]

Subject: FW: Phone call with ASADA [SEC=UNCLASSIFIED]

Dear Ms [REDACTED]

Further to your email below, please note that the number to call on Monday, 13 April is [REDACTED] Can you confirm whether everyone will be together in the same room to make the call, otherwise we might need to proceed via an audio conferencing service provider.

Thank you and kind regards,



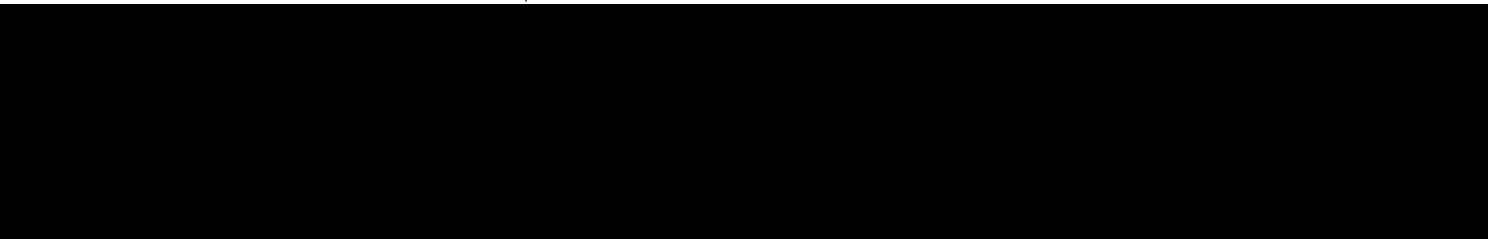
Subject: FW: Phone call with ASADA [SEC=UNCLASSIFIED]

Dear David

Thank you for your email. I can confirm that Ben and his team will call you at 8am, Tuesday 14 April (5pm, Monday 13 April your time). If you could provide the best number to call you on that would be much appreciated.

Regards

[REDACTED]



PO Box 1744 | Fyshwick ACT 2609 | Australia

From: Howman, David [mailto:David.Howman@wada-ama.org]

Sent: Friday, 3 April 2015 4:15 AM

To: [REDACTED]  
[REDACTED] Darren Mullaly; Elen Perdikogiannis; Trevor Burgess; [REDACTED]; Niggli, Olivier  
Subject: RE: Phone call with ASADA [SEC=UNCLASSIFIED]

Hi [REDACTED]

Olivier Niggli and I could join a call from you all on 14 April, your time at 8 am, which would be 5 pm 13 April here. We are now 15 hours behind you.

Does that work ?

If so we can give you our number here in the office.

Cheers David

From: [REDACTED]

Sent: Wednesday, April 01, 2015 9:07 PM

To: Howman, David

Cc: [REDACTED] Darren Mullaly; Elen Perdikogiannis; Trevor Burgess; [REDACTED]

Subject: Phone call with ASADA [SEC=UNCLASSIFIED]

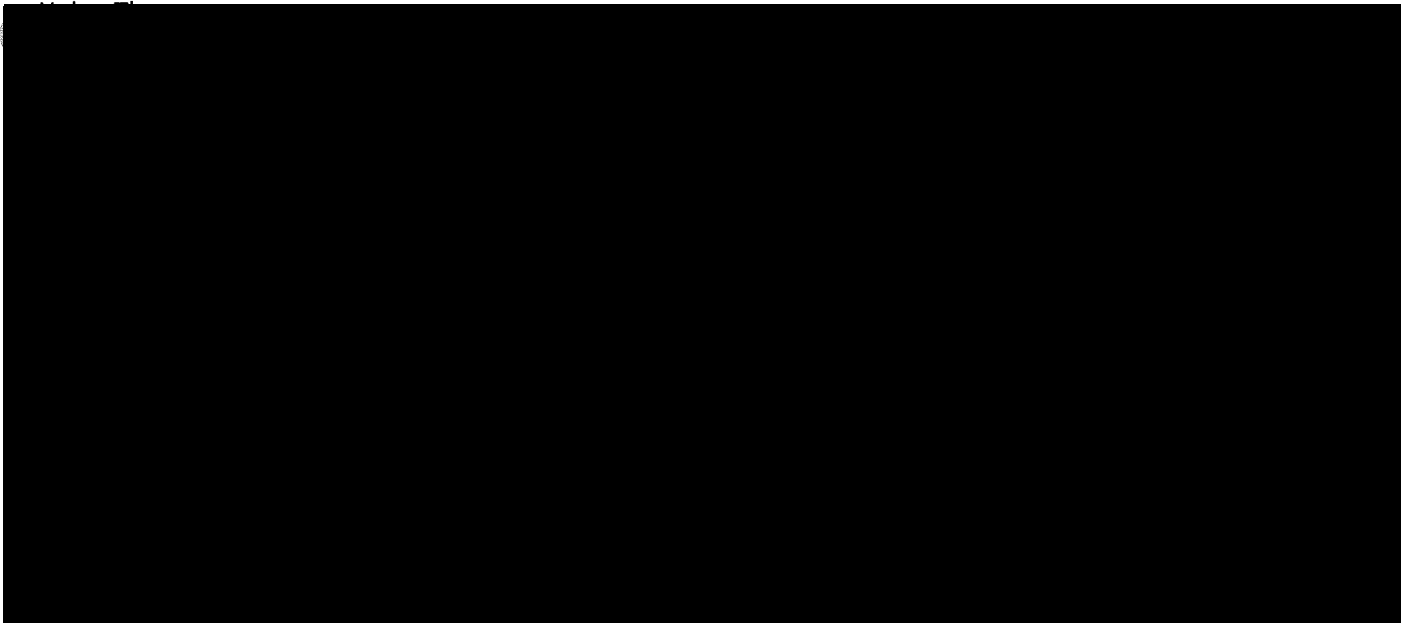
Dear David

Thank you for reviewing the information that we recently sent you. Ben and his team would like to speak to you on 14 April about the possibility of an ASADA appeal.

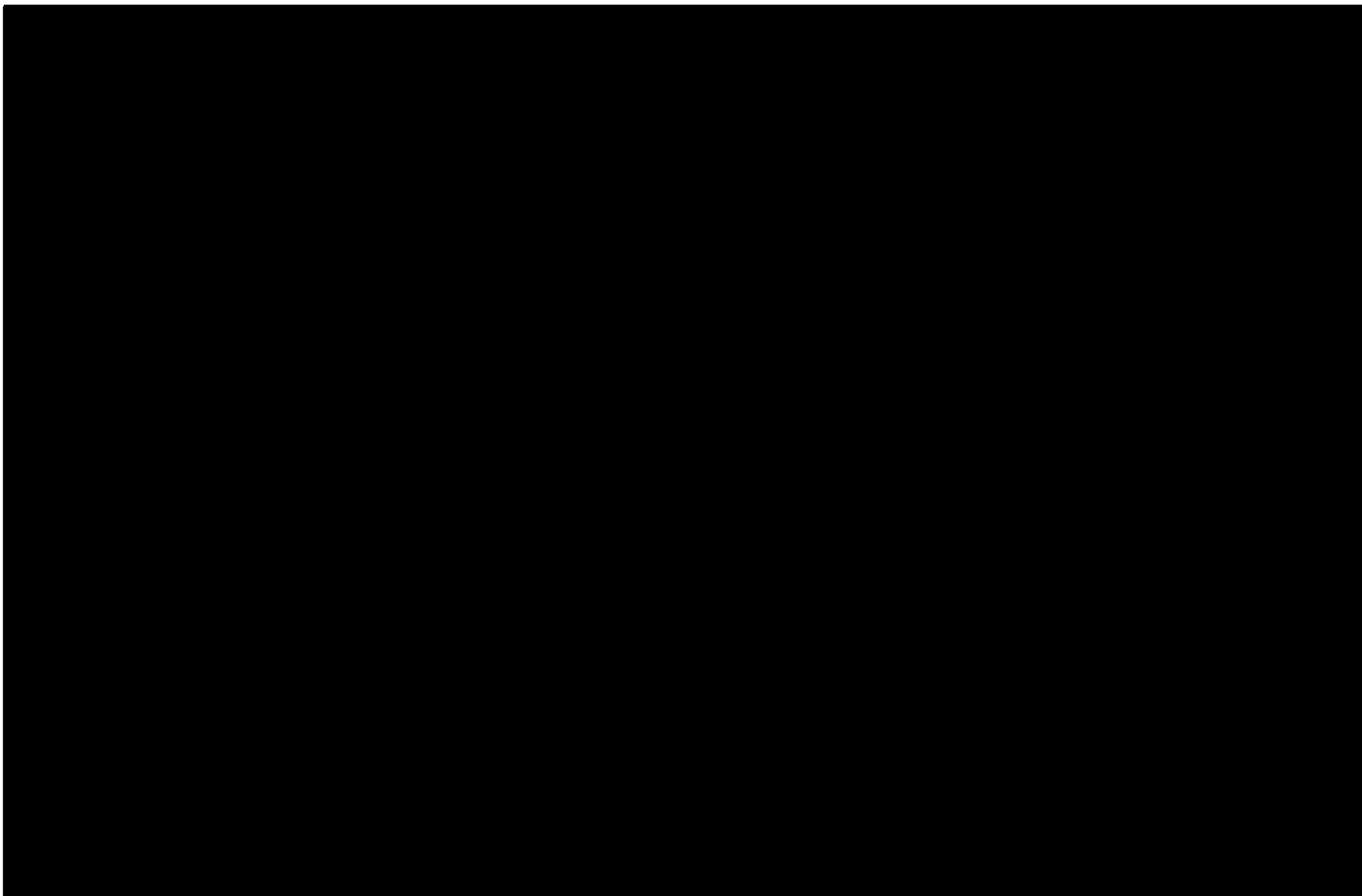
Would you please let us know what time suits you best, and the best number to call you on.

Thanks and regards

[REDACTED]



**From:** Niggli, Olivier <Olivier.Niggli@wada-ama.org>  
**Sent:** Thursday, 30 April 2015 10:31 AM  
**To:** Darren Mullaly  
**Cc:** Elen Perdikogiannis  
**Subject:** Re: Private and Confidential - Legal [SEC=UNCLASSIFIED]



**From:** Nichols, Ben <Ben.Nichols@wada-ama.org>  
**Sent:** Thursday, 30 April 2015 10:32 PM  
**To:** Ben McDevitt  
**Cc:** Tony Baccari; [REDACTED]; Howman, David  
**Subject:** Herald Sun

Dear Ben,

You may have seen the following piece in the Herald Sun today. Thought this may be of interest:

<http://www.heraldsun.com.au/sport/afl/asada-boss-ben-mcdevitt-to-meet-with-wada-bosses-in-montreal/story-fni5f6kv-1227329045420>

Cheers,  
Ben

Ben Nichols

Senior Manager, Media Relations and Communications | Responsable principal, Relations médias et communication  
World Anti-Doping Agency<<http://www.wada-ama.org/en/>> | Agence mondiale antidopage<<http://www.wada-ama.org/fr/>>

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DE CONFIDENTIALITÉ<<http://www.wada-ama.org/fr/Footer-Links/E-mail-Confidentiality-Message/>>

**From:** Koehler, Rob <Rob.Koehler@wada-ama.org>  
**Sent:** Friday, 1 May 2015 9:40 PM  
**To:** Ben McDevitt  
**Subject:** FW: ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

Herald Sun  
Michael Warner  
April 30, 2015  
ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

AUSTRALIAN Sports Anti-Doping Authority boss Ben McDevitt has flown to WADA headquarters in Montreal as the clock counts down on an appeal in the Essendon drugs case.

The World Anti-Doping Agency has 12 more days to decide whether to take the two-year Bombers saga to the Court of Arbitration for Sport.

McDevitt is in Montreal for a series of meetings with international anti-doping officials where the Essendon matter will be discussed.

An AFL anti-doping tribunal ruled last month that it was not "comfortably satisfied" 34 past and present Bombers players had been administered the banned peptide Thymosin beta-4 during the 2012 season.

ASADA opted not to appeal the judgement and instead passed its case file to WADA for an independent review.

Asked yesterday about its intentions, a WADA spokesman said: "WADA is still reviewing the information in accordance with World Anti-Doping Code rules. We will make no further comment until a decision has been made whether or not to appeal to the Court of Arbitration for Sport."

In announcing his decision not to take the matter to the AFL appeals tribunal last month, McDevitt indicated he wanted the case examined by a tribunal outside the AFL's jurisdiction.

"I am conscious that ASADA does not have a direct right of appeal to the Court of Arbitration for Sport and the only appeal avenue open to ASADA at this time is to the AFL Anti-Doping Appeals Tribunal," he said on April 20.

"I am also aware that appealing any of these decisions within the AFL framework would ultimately serve only to delay consideration of these matters by WADA."

McDevitt has received strong support from the heads of anti-doping bodies around the world since the AFL tribunal verdict.

Should WADA decide not to launch its own appeal, ASADA's two-year pursuit of Essendon players treated by sports scientist Stephen Dank in 2012 would officially end.

But the Australian anti-doping agency reserves the right to reopen its investigations should new evidence or witnesses emerge.

Specimen samples taken from Essendon players in 2012 are being stored on ice at a secure Sydney laboratory.

ASADA says it will retest the samples for traces of Thymosin beta-4 as testing technology advances.

The absence of a specific test to detect the presence of TB4 in athletes was a major weakness in ASADA's case.

Federal Health and Sport Minister Sussan Ley told the Herald Sun on Thursday she would "make further comments soon on the government's role in relation to anti-doping".

Dank and Bombers coach James Hird have indicated they would be willing to testify at a Senate or judicial inquiry into the Essendon drugs scandal.

<http://www.heraldsun.com.au/sport/af1/asada-boss-ben-mcdevitt-to-meet-with-wada-bosses-in-montreal/story-fni5f6kv-1227329045420>

**From:** Nichols, Ben <Ben.Nichols@wada-ama.org>  
**Sent:** Saturday, 2 May 2015 2:29 AM  
**To:** michael.warner@heraldsun.com  
**Cc:** Crawford, Carly  
**Subject:** FW: ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

Dear Michael,

I read with interest your piece in yesterday's Herald Sun.

I thought it would be helpful to clarify that the meeting Mr. McDevitt is attending in Montreal is a WADA-hosted National Anti-Doping Organization (NADO) Ad Hoc Working Group, not a specific meeting regarding the matters in Australia.

Mr. McDevitt was joined by representatives from eight other NADOs for the meeting. Please find further details of the attendees below.

The aim of the meeting was to look at practical ways to enhance partnerships and communication between NADOs, WADA and the anti-doping community. This included looking at challenges, best practices and effective strategies for NADO coordination under the revised World Anti-Doping Code.

Kind regards,  
Ben Nichols

Ben Nichols  
Senior Manager, Media Relations and Communications | Responsable principal, Relations médias et communication  
World Anti-Doping Agency <<http://www.wada-ama.org/en/>> | Agence mondiale antidopage <<http://www.wada-ama.org/fr/>>

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Count

Organization/Country/Title

First Name LAST NAME

1

UKAD

Nicole SAPSTEAD

2

USADA

Travis TYGART

3

ASADA

Ben McDEVITT

4

Netherlands

Herman RAM

5

Denmark

Christina FRIIS JOHANSEN

6

Norway

Rune ANDERSEN

7

JADA

Shin ASAKAWA

8

Saudi Arabia

Aziz AL MASAED

9

South Africa

Dr. Harold Adams

Herald Sun

Michael Warner

April 30, 2015

ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

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McDevitt is in Montreal for a series of meetings with international anti-doping officials where the Essendon matter will be discussed.

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"I am conscious that ASADA does not have a direct right of appeal to the Court of Arbitration for Sport and the only appeal avenue open to ASADA at this time is to the AFL Anti-Doping Appeals Tribunal," he said on April 20.

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[REDACTED]

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**From:** Nichols, Ben <Ben.Nichols@wada-ama.org>  
**Sent:** Saturday, 2 May 2015 3:51 AM  
**To:** Ben McDevitt  
**Cc:** Tony Baccari  
**Subject:** RE: ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

Hi Ben,  
We have promoted through social media channels, and will advise / correct anyone that asks, or misinterprets the meeting.  
Thanks,  
Ben

-----Original Message-----

**From:** Ben McDevitt [mailto:Ben.McDevitt@asada.gov.au]  
**Sent:** Friday, May 01, 2015 1:38 PM  
**To:** Nichols, Ben  
**Cc:** Tony Baccari  
**Subject:** Re: ASADA boss Ben McDevitt to meet with WADA bosses in Montreal

Thanks Ben. Are you putting this on your website?

Sent from my iPhone

On 1 May 2015, at 12:18 pm, Nichols, Ben <Ben.Nichols@wada-ama.org<mailto:Ben.Nichols@wada-ama.org>> wrote:

Dear Michael,

I read with interest your piece in yesterday's Herald Sun.

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Count

Organization/Country/Title

First Name LAST NAME

1

UKAD

Nicole SAPSTEAD

2

USADA

Travis TYGART

3

ASADA

Ben McDEVITT

4

Netherlands

Herman RAM

5

Denmark

Christina FRIIS JOHANSEN

6

Norway

Rune ANDERSEN

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JADA

Shin ASAKAWA

8

Saudi Arabia

Aziz AL MASAED

9

South Africa

Dr. Harold Adams

Herald Sun

Michael Warner

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In announcing his decision not to take the matter to the AFL appeals tribunal last month, McDevitt indicated he wanted the case examined by a tribunal outside the AFL's jurisdiction.

"I am conscious that ASADA does not have a direct right of appeal to the Court of Arbitration for Sport and the only appeal avenue open to ASADA at this time is to the AFL Anti-Doping Appeals Tribunal," he said on April 20.

"I am also aware that appealing any of these decisions within the AFL framework would ultimately serve only to delay consideration of these matters by WADA."

McDevitt has received strong support from the heads of anti-doping bodies around the world since the AFL tribunal verdict.

Should WADA decide not to launch its own appeal, ASADA's two-year pursuit of Essendon players treated by sports scientist Stephen Dank in 2012 would officially end.

But the Australian anti-doping agency reserves the right to reopen its investigations should new evidence or witnesses emerge.

Specimen samples taken from Essendon players in 2012 are being stored on ice at a secure Sydney laboratory.

ASADA says it will retest the samples for traces of Thymosin beta-4 as testing technology advances.

The absence of a specific test to detect the presence of TB4 in athletes was a major weakness in ASADA's case.

Federal Health and Sport Minister Sussan Ley told the Herald Sun on Thursday she would "make further comments soon on the government's role in relation to anti-doping".

Dank and Bombers coach James Hird have indicated they would be willing to testify at a Senate or judicial inquiry into the Essendon drugs scandal.

<http://www.heraldsun.com.au/sport/afl/asada-boss-ben-mcdevitt-to-meet-with-wada-bosses-in-montreal/story-fni5f6kv-1227329045420>

[REDACTED]

---

**From:** [REDACTED]  
David <David.Howman@wada-ama.org>  
**Sent:** Tuesday, 5 May 2015 4:39 AM  
**To:** Ben McDevitt  
**Subject:** Phone call - ASADA and WADA

Dear Ben,

I hope you travelled well back to Australia?

We would like to arrange another phone call to discuss the possible appeal in relation to the Essendon cases. It would suit us a lot if we could do that on Tuesday evening, our time, say 7.00am in Australia on Wednesday morning.

Do you think you could arrange this please, and also remind Helen of the couple of things that she was going to send to me following our last discussion.

Kind regards,

David



[REDACTED]

**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 10:23 AM  
**To:** 'david.howman@wada-ama.org'  
**Cc:** Ben McDevitt; Darren Mullaly; 'olivier.niggli@wada-ama.org'  
**Subject:** Rich Young - approved daily rate [SEC=UNCLASSIFIED]

Dear David,

Following on from our teleconference last Thursday (Canberra time), this email concerns Rich Young's rates.

Australian Government procurement rules require ASADA to engage counsel at a rate approved by our Attorney-General's Department (AGD), or by the Attorney-General himself, where the proposed rates exceed the relevant thresholds.

[REDACTED]

[REDACTED]

[REDACTED]

Elen

---

Elen Perdikogiannis  
National Manager Legal and Support Services Australian Sports Anti-Doping Authority

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W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

ASADA Hotline 13 000 ASADA (13 000 27232)

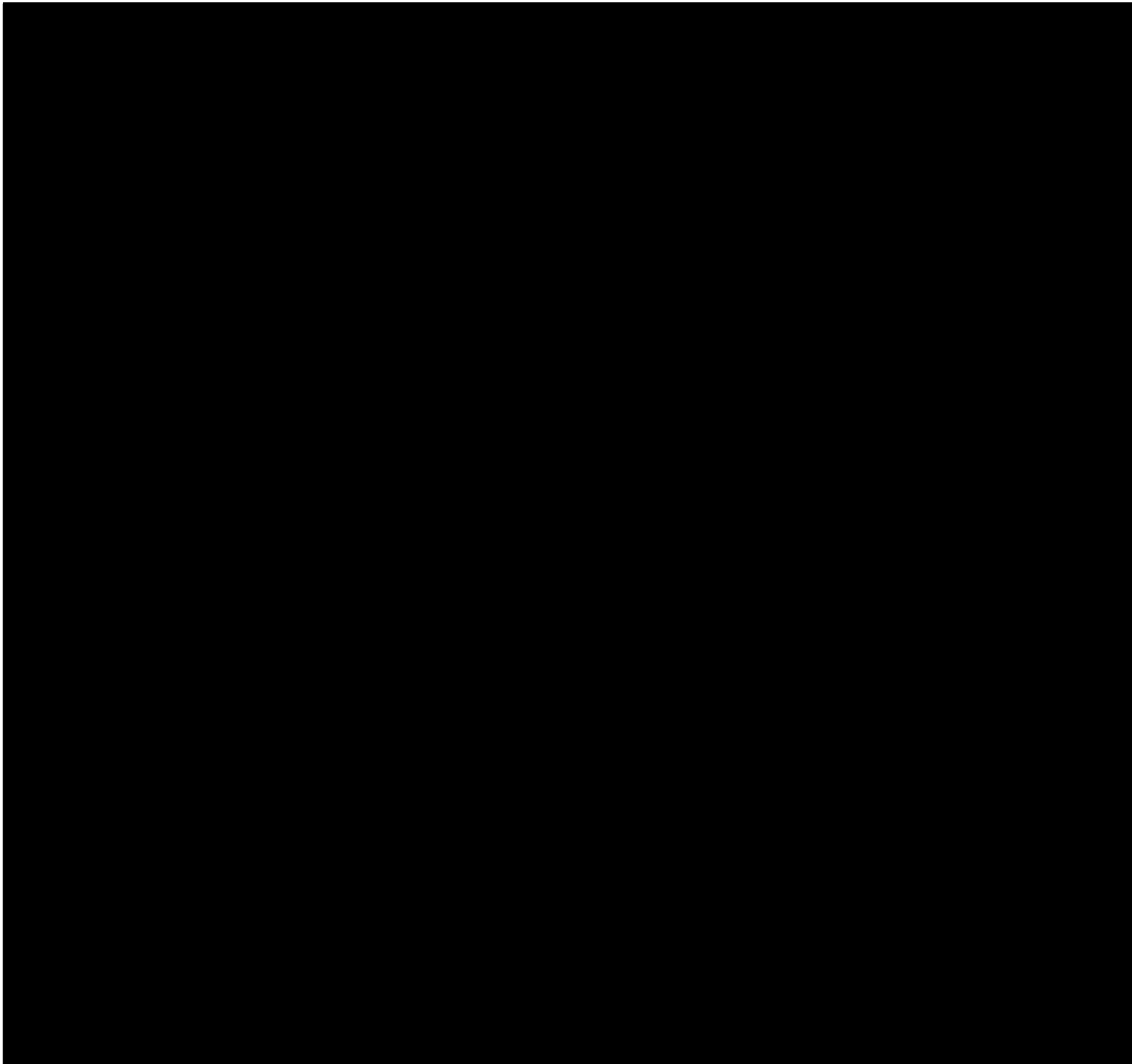
Please consider our environment before printing this email.



**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 10:52 AM  
**To:** 'david.howman@wada-ama.org'  
**Cc:** Ben McDevitt; Darren Mullaly; 'olivier.niggli@wada-ama.org'  
**Subject:** CAS Oceania Registry [SEC=UNCLASSIFIED]  
**Attachments:** CAS Australian arbitrators attachment.pdf

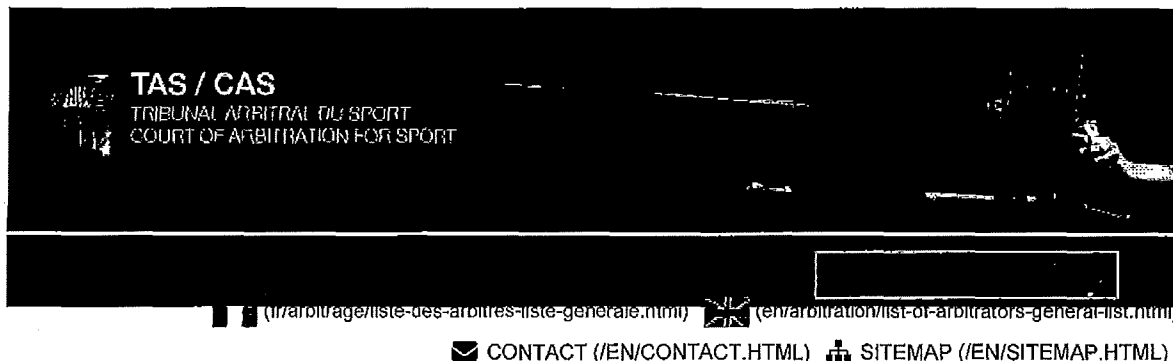
Dear David,

Please find attached a list of the Australian-resident arbitrators listed on the CAS website.



Elen





## List of arbitrators (general list)

[Home \(/\)](#) / [Arbitration \(en/arbitration/code-procedural-rules.html\)](#)

/ [List of arbitrators \(general list\) \(en/arbitration/list-of-arbitrators-general-list.html\)](#)

### Your search criteria

Search in list(s)

- Arbitrators, general list
- Arbitrators, football list
- Mediators

Lastname, firstname

Enter a lastname or firstname

Spoken language(s)

- |                              |                              |
|------------------------------|------------------------------|
| <input type="checkbox"/> Fr  | <input type="checkbox"/> Eng |
| <input type="checkbox"/> Deu | <input type="checkbox"/> Sp  |
| <input type="checkbox"/> It  | <input type="checkbox"/> Ru  |
| <input type="checkbox"/> Tur | <input type="checkbox"/> Jap |
| <input type="checkbox"/> Ar  | <input type="checkbox"/> Chi |
| <input type="checkbox"/> Por |                              |

Nationality [Select all](#) \ [Unselect all](#)

Albania  
Argentina  
Australia



Note : Press the Ctrl or Command key to select more.

Country of residence Select all \ Unselect all

Albania	
Argentina	
<b>Australia</b>	<input checked="" type="checkbox"/>
Austria	
Bahrain	
Bangladesh	

Note : Press the Ctrl or Command key to select more.

Search Erase

## Search result

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19 RESULTS

### Mr Malcolm Holmes (1948)

**Barrister (Australia)** Eng  
Sydney / Australia

B.A., LLB Sydney University, BCL, Oxford University; appointed as the athletes advocate to the Australian Olympic Team at Atlanta in 1996. Member of the CAS ad hoc Division at the Summer Olympic Games, Athens 2004 and at the Winter Olympic Games, Turin 2006.

### Mr David Ipp (1938)

**Judge (Australia)** Eng  
Sydney / Australia

Judge of the Supreme Court of Western Australia; Commissioner of Independent Commission Against Corruption (ICAC); former barrister, solicitor in Australia and in South Africa.

### The Hon. Dr Tricia Kavanagh (1942)

**Retired Judge (Australia)** Eng  
Sydney / Australia

Justice, Industrial Relations Commission of New South Wales; Doctor of Philosophy-in-Law, formerly Barrister-at-Law; formerly Deputy Chair, the Australian Sports Doping Agency; formerly Arbitrator - National Sports Disputes Centre; formerly Arbitrator -Australian Commercial Disputes Centre; member of the CAS ad hoc Division at the Summer Olympic Games, Sydney, 2000.

### Judge Henric Nicholas (1941)

**Judge (Australia)** Eng

Sydney / Australia

Judge of the Supreme Court of New South Wales since Feb. 2003. Barrister-at-law 1966 - 2003, appointed Queens Counsel in Oct. 1981.

### Mr Hayden Opie (1953)

**Solicitor, Senior Lecturer/Director of Studies (Australia)** Eng

Melbourne / Australia

### His Honour Judge Rauf Soulio (1957)

**Judge (Australia)** Eng

Adelaide / Australia

Judge; Supreme Court of South Australia 1981; High Court of Australia 1984; Roll of Solicitors, England and Wales 1990. Judge - District Court of South Australia (appointed 2006) - administrative, civil, commercial and criminal jurisdictions. Judge - Equal Opportunity Tribunal. Judge - Licensing Court of South Australia. 1981-1988 Solicitor. 1988-2006 Barrister. 2009-present President - Football Federation of South Australia.

### The Hon. James Spigelman (1946)

**Retired Judge (Australia)** Eng

Sydney / Australia


Arbitrator. Barrister, Australia 1980-1998, QC 1986-1998. Chief Justice, Supreme Court of New South Wales 1998-2011.

### Mr Alan John Sullivan (1951)

**Lawyer (Australia)** Eng

Sydney / Australia

Queens Counsel; Barrister; former Chairman, Australian Rugby League Judiciary Panel; Commissioner, Code of Behaviour, Australian Cricket Board.


 Download the resume (uploads/tx\_tascas/336.pdf)

## Mr Neil John Young (1952)

**Barrister-at-law (Australia)** Eng

Melbourne / Australia





LL.M.; Queens Counsel; Barrister; past President, Australian Bar Association; former Chairman Victoria Bar.

 Download the resume (uploads/tx\_tascas/338.pdf)

«	1	2	»
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(</en/medias/newsletter/?&cmd=informail&backURL=en%2Farbitration%2Flist-of-arbitrators-general-list.html%3F>)

## Latest news

---

List of hearings (en/media/latest-news/article/translate-to-english-liste-des-audiences.html)  
28.04.2015

Two appeals filed in the case of Rita Jeptoo (en/media/latest-news/article/two-appeals-filed-in-the-case-of-rita-jeptoo.html)  
21.04.2015

[REDACTED]

---

**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 1:29 PM  
**To:** 'david.howman@wada-ama.org'; olivier.rabin@wada-ama.org  
**Cc:** Ben McDevitt; Darren Mullaly; 'olivier.niggli@wada-ama.org'  
**Subject:** AFL Tribunal - Essendon - Bio21 material (email no. 1) [SEC=UNCLASSIFIED]  
**Attachments:** [REDACTED]

Dear David and Olivier,

In this email (which – because of the number and size of the documents - is the first of a number), please find attached the following:

[REDACTED]

My next email will contain further documents, including:

[REDACTED]

I should also mention that while [REDACTED] and I have talked generally since the Tribunal decision about the approach the Tribunal took to the expert evidence, he does not have a copy of the AFL Tribunal decision.

If you need anything else after receiving these emails, please let me know.

Elen

---

Elen Perdikogiannis  
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W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

ASADA Hotline 13 000 ASADA (13 000 27232)

Please consider our environment before printing this email.

[REDACTED]

---

**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 1:35 PM  
**To:** 'david.howman@wada-ama.org'; olivier.rabin@wada-ama.org  
**Cc:** Ben McDevitt; Darren Mullaly; 'olivier.niggli@wada-ama.org'  
**Subject:** AFL Tribunal - Essendon - Bio 21 (email no. 2) [SEC=UNCLASSIFIED]  
**Attachments:** [REDACTED]

Dear David and Olivier,

As foreshadowed in my previous email, please find attached:

[REDACTED]

My next email will contain:

[REDACTED]

Elen

---

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W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

ASADA Hotline 13 000 ASADA (13 000 27232)

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[REDACTED]

---

**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 1:36 PM  
**To:** 'david.howman@wada-ama.org'; olivier.rabin@wada-ama.org  
**Cc:** Ben McDevitt; Darren Mullaly; 'olivier.niggli@wada-ama.org'  
**Subject:** AFL Tribunal - Essendon - Bio 21 (email no. 3) [SEC=UNCLASSIFIED]  
**Attachments:** [REDACTED]

Dear David and Olivier,

As foreshadowed in my previous email, please find attached exhibit [REDACTED] search.

I have also attached information and documents provided to us by Bio21 in response to our disclosure notices of 17 December 2015 [REDACTED]

If you would like it, we can also send to you a USB stick of data that Bio 21 produced to ASADA with this notice [REDACTED]

If you need anything else, please let me know.

Elen

---

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W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

ASADA Hotline 13 000 ASADA (13 000 27232)

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[Redacted]

**From:** Elen Perdikogiannis  
**Sent:** Tuesday, 5 May 2015 8:10 PM  
**To:** Howman, David  
**Subject:** Re: AFL Tribunal - Essendon - Bio21 material (email no. 1) [SEC=UNCLASSIFIED]

Thanks David, for letting me know

Sent from my iPhone

> On 5 May 2015, at 6:52 pm, "Howman, David" <David.Howman@wada-ama.org> wrote:

>  
> Hi Ellen  
> We got your 3 emails. Thanks.  
>  
> David

>> On May 4, 2015, at 23:31, Elen Perdikogiannis <Elen.Perdikogiannis@asada.gov.au> wrote:

>>  
>> Dear David and Olivier,  
>>  
>> In this email (which – because of the number and size of the documents - is the first of a number), please find attached the following:

[Redacted]

>>

[Redacted]

>> My next email will contain further documents, including:

[Redacted]

>> I should also mention that while [Redacted] and I have talked generally since the Tribunal decision about the approach the Tribunal took to the expert evidence, he does not have a copy of the AFL Tribunal decision.

>>  
>> If you need anything else after receiving these emails, please let me know.

>> Elen

>>  
>> \_\_\_\_\_  
>>

>> Elen Perdikogiannis  
>> National Manager Legal and Support Services Australian Sports  
>> Anti-Doping Authority

2014/5/22

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>>

>> E [Elen.Perdikogiannis@asada.gov.au](mailto:Elen.Perdikogiannis@asada.gov.au)<mailto:Elen.Perdikogiannis@asada.gov.au>

>> W [www.asada.gov.au](http://www.asada.gov.au)<http://www.asada.gov.au/>

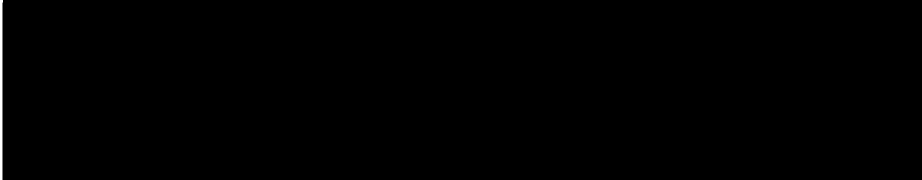
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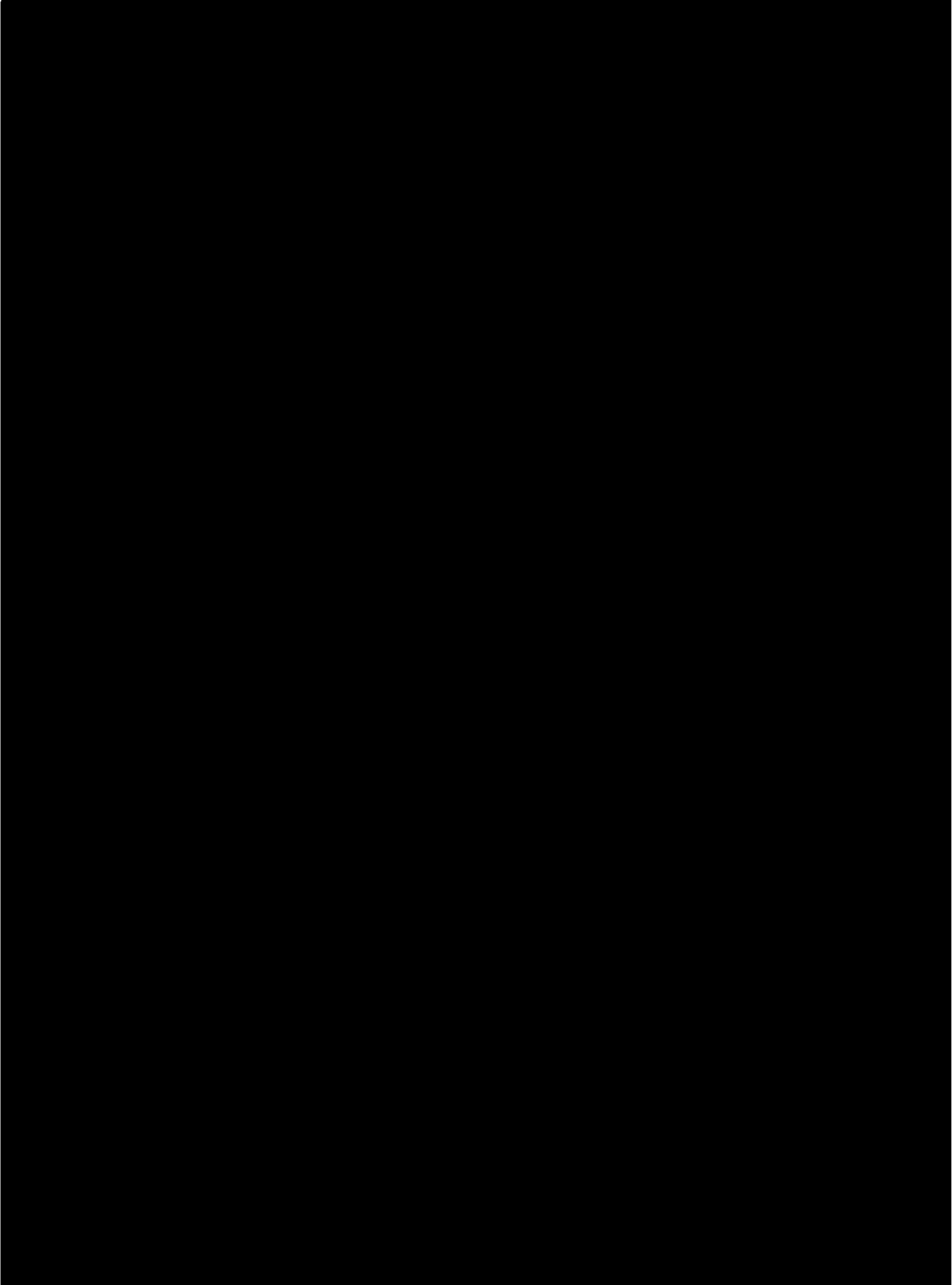
>> ASADA Hotline 13 000 ASADA (13 000 27232)

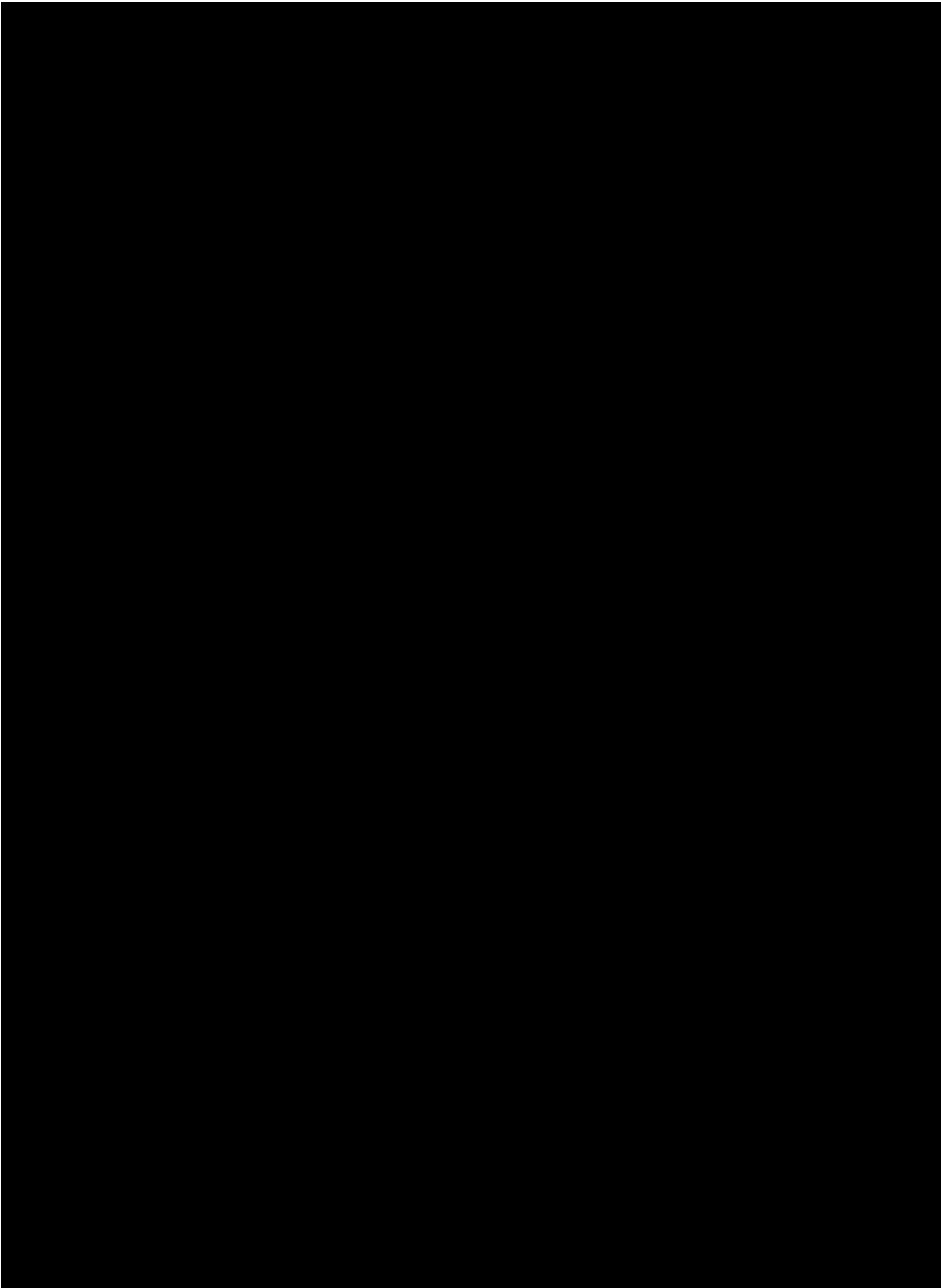
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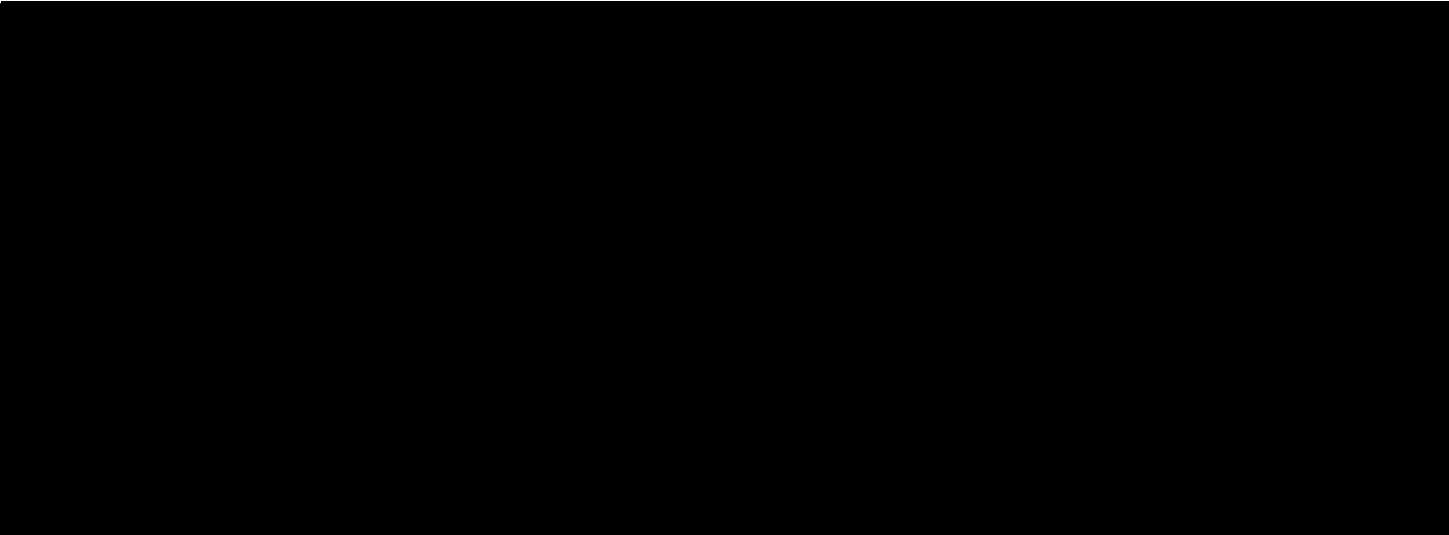
>> Please consider our environment before printing this email.

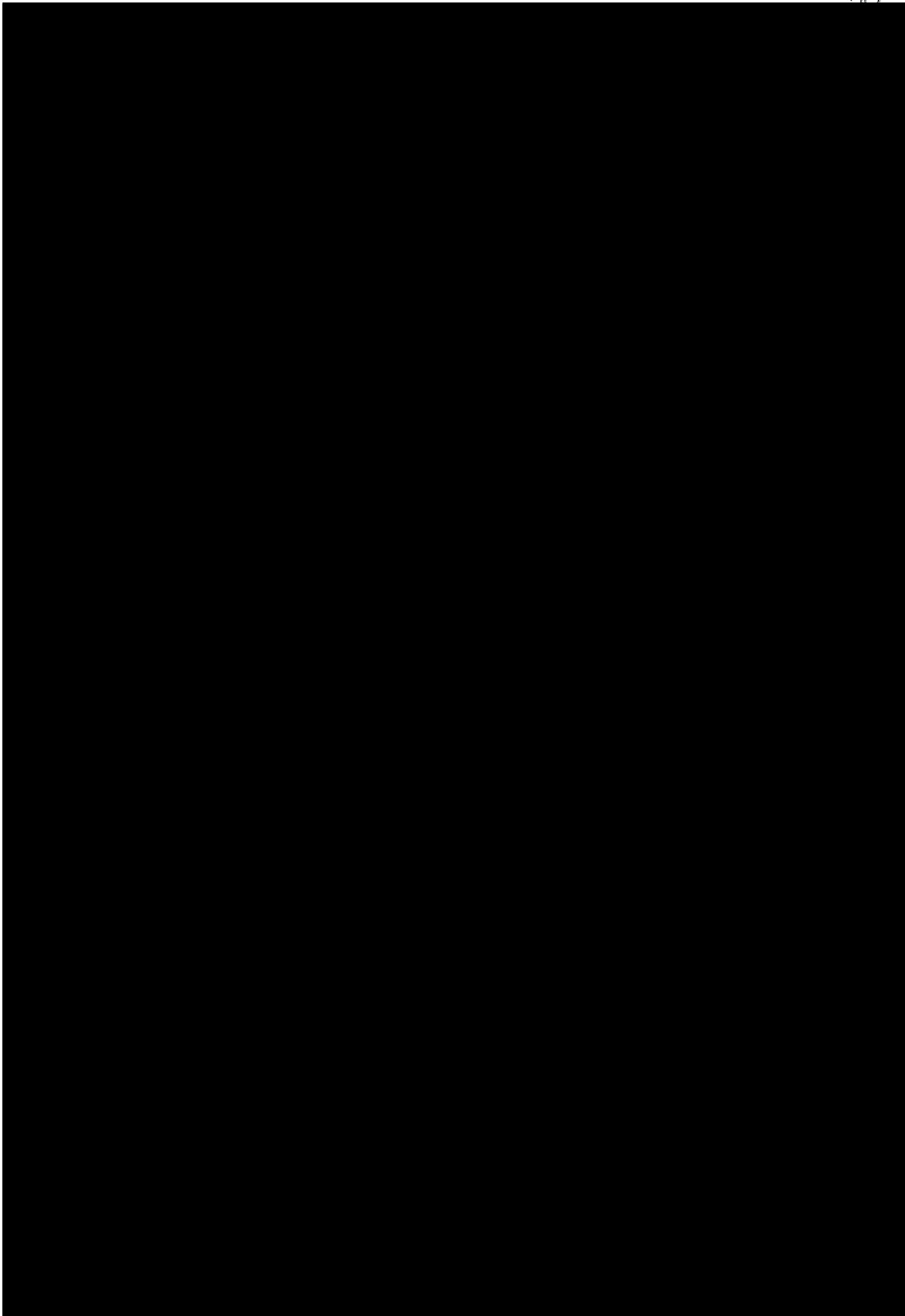
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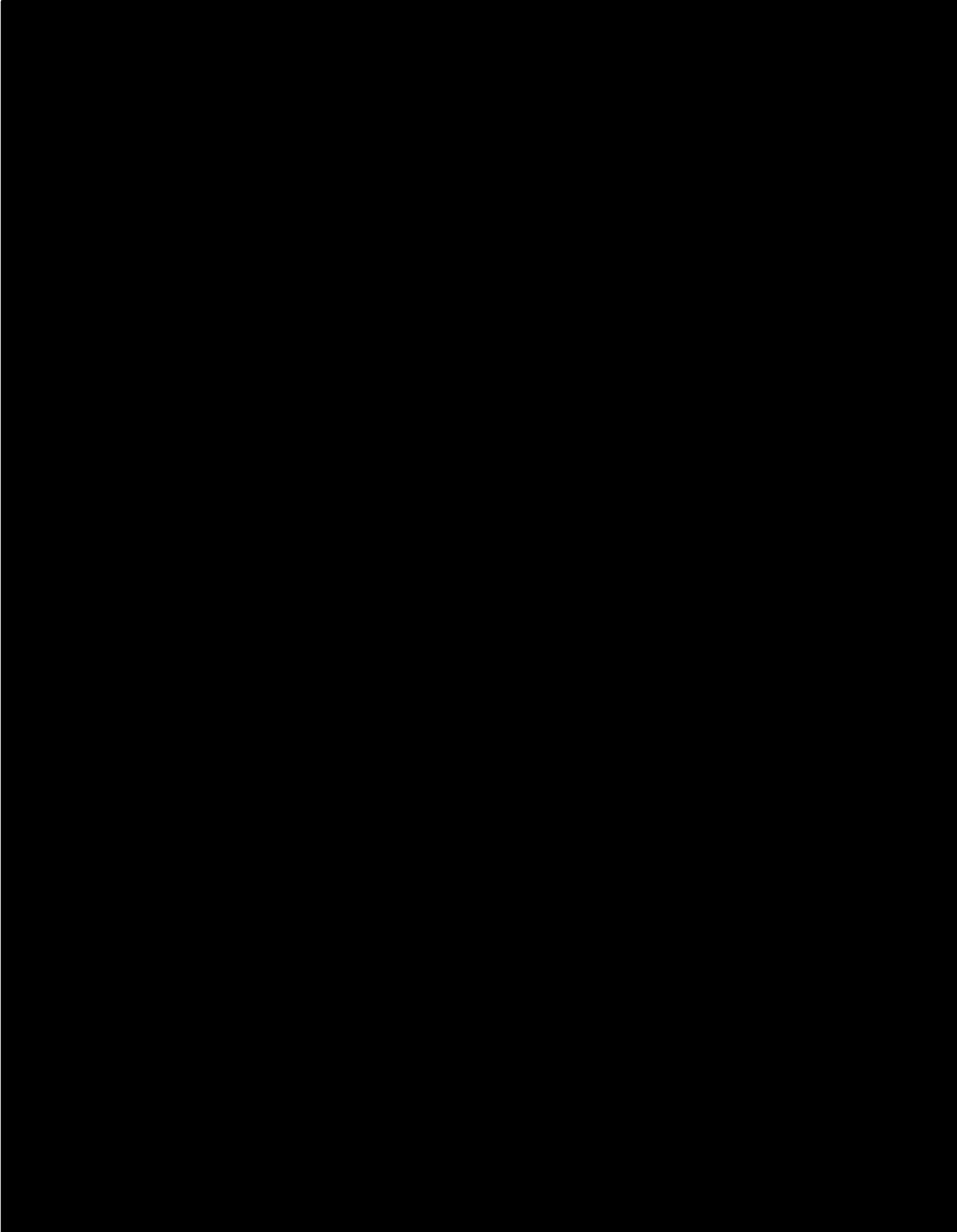
















**From:** Nichols, Ben <Ben.Nichols@wada-ama.org>  
**Sent:** Tuesday, 12 May 2015 11:27 AM  
**To:** Tony Baccari  
**Subject:** Re: WADA appeal decision [SEC=UNCLASSIFIED]

Thanks Tony

Sent from my iPhone

On May 11, 2015, at 5:44 PM, Tony Baccari <[Tony.Baccari@asada.gov.au](mailto:Tony.Baccari@asada.gov.au)<mailto:Tony.Baccari@asada.gov.au>> wrote:

Dear Ben

ASADA issued the attached media statement today.

Regards

Tony Baccari  
Communications and Media Manager  
Australian Sports Anti-Doping Authority

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F +61 (0) 2 6222 4308

[www.asada.gov.au](http://www.asada.gov.au)<<http://www.asada.gov.au>>

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

**From:** Nichols, Ben [<mailto:Ben.Nichols@wada-ama.org>]  
**Sent:** Tuesday, 12 May 2015 12:59 AM  
**To:** Tony Baccari  
**Cc:** MacLean, Catherine  
**Subject:** RE: WADA appeal decision [SEC=UNCLASSIFIED]

Hi Tony,

Yes, lots of interest here.

This is the statement we will be publishing at 12 midday our time today.

Best regards  
Ben

WADA Statement on AFL Cases  
WADA Director General, David Howman: "After a thorough examination of the evidence contained within the file, WADA has decided to lodge its independent right of appeal to the decision to the Court of Arbitration for Sport (CAS)."

We have now completed our independent review of the full case file on the AFL Anti-Doping Appeals Tribunal decision regarding 34 current and former Essendon players.

After a thorough examination of the evidence contained within the file, WADA has decided to lodge its independent right of appeal to the decision to the Court of Arbitration for Sport (CAS).

As with all pending cases, and adhering to the proper and normal respect for the integrity of the legal process, WADA will refrain from commenting further on the subject until a decision has been made by CAS.

From: Tony Baccari [mailto:Tony.Baccari@asada.gov.au]

Sent: Sunday, May 10, 2015 9:47 PM

To: Nichols, Ben

Cc: WADA Media

Subject: WADA appeal decision [SEC=UNCLASSIFIED]

Hi Ben

I can only imagine, that like us, you are getting a few media enquiries about the appeal.

I'm assuming WADA will issue a statement at the appropriate time regarding the decision. Are you able to share that with me in advance, along with your thoughts regarding timing of the release. With the time differences, I want to make sure I'm as prepared as possible. I do not have a team this week which adds to the my need to be prepared.

Regards

Tony

Tony Baccari

Communications and Media Manager

Australian Sports Anti-Doping Authority

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[www.asada.gov.au](http://www.asada.gov.au)<<http://www.asada.gov.au/>>

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

<ASADA statement on WADA appeal decision.pdf>



**Australian Government**

**Australian Sports  
Anti-Doping Authority**

# Media Statement

Unit 6, 5 Tennant Street Fyshwick ACT 2609  
PO Box 1744 Fyshwick ACT 2609 T 13 000 ASADA (13 000 27232)  
F +61 (0) 2 6222 4201 E [asada@asada.gov.au](mailto:asada@asada.gov.au) [www.asada.gov.au](http://www.asada.gov.au)  
ABN 91 592 527 503

12 May 2015

## ASADA statement on WADA appeal decision

The Australian Sports Anti-Doping Authority (ASADA) welcomes the World Anti-Doping Agency's (WADA) decision to appeal the AFL Anti-Doping Tribunal's ruling in relation to 34 former and current Essendon players.

ASADA CEO Ben McDevitt said ASADA will fully support WADA in its appeal to the Court of Arbitration for Sport (CAS).

'ASADA has handed over a comprehensive brief of evidence to assist WADA in its preparation for the CAS hearing,' said Mr McDevitt.

**-ENDS-**

**Media note:** ASADA will make no further public comment on this matter at this time.

**Media contact:** 02 6222 4263

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

**Budget Estimates 2015-16, 1 -2 June 2015**

**Ref No:** SQ15-000572

**OUTCOME:** 10 – Sport and Recreation

**Topic:** Trip to Montreal undertaken by ASADA Chief Executive Officer

**Type of Question:** Hansard Page 116, 2 June 2015

**Senator:** Peris, Nova

**Question:**

If (the trip) was provided by WADA, would you be able to give us a cost breakdown on that trip?

**Answer:**

In April 2015 the Australian Sports Anti-Doping Authority (ASADA) Chief Executive Officer, Ben McDevitt travelled to Montreal to attend the inaugural meeting of WADA sponsored National Anti-Doping Organisation (NADO) Ad Hoc Working Group.

The cost of the airfares and accommodation (approximately \$9,800) was covered by WADA.

The cost to ASADA was \$789 which covered domestic and international meal and incidental costs in accordance with the Agency's international travel policy.